



*Docket No.: 17539  
[1113-03]*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Ziegner et al.**

Examiner: **Russell M. Kobert**

Serial No.: **09/864,123**

Group Art Unit: **2829**

Filed: **May 25, 2001**

For: **FILM-BASED MICROWAVE AND MILLIMETER WAVE CIRCUITS AND SENSORS**

**AFFIDAVIT OF PRIOR INVENTION UNDER 37 CFR 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, BERNHARD A. ZIEGNER, being duly sworn, depose and state:

1. I was an applicant of the above-identified patent application at the time of filing, and a co-inventor of the subject matter described and claimed therein.
2. On or about September 15, 1999, I (in concert with my co-inventor Robert J. Sletten) submitted a Preliminary Invention Disclosure ("PID") to my employer The Whitaker Corporation ("Whitaker") which described film-based microwave and millimeter wave circuits and sensors (See Exhibit A).
3. Included with the above-referenced PID were several documents which I and my co-inventor Robert J. Sletten had previously authored concerning the idea of film-based microwave and millimeter wave circuits. One of those documents included with the PID is attached here to as Exhibit B. Exhibit B, entitled "Low Cost Film Based mmW Circuits," teaches a structure for a millimeter wave circuit and sensor which includes vias for connecting a signal layer to a ground layer (See Exhibit B).
4. It is my understanding that Whitaker in-house counsel Joseph A. Tessari, Esq. received the PID on October 4, 1999 and subsequently began preparing a Patent Application based on the PID. This date is evidenced by the "Whitaker" date stamp on the first page of the PID (See Exhibit B).
5. On May 23, 2001, I signed a Declaration and Power of Attorney (Exhibit C) authorizing Whitaker to file the Patent Application ("Patent Application") covering the idea of film-based microwave and millimeter wave circuits and sensors.

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6. I understand that the Patent Application was filed on May 25, 2001 with the United States Patent & Trademark Office by Mr. Tessari, and was accorded Serial No. 09/864,123.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed at Tyngsboro, MASSACHUSETTS this 17 day of MAY, 2004<sub>70</sub>

BERNHARD A. ZIEGNER

*Bernhard A. Ziegner*

STATE OF MASSACHUSETTS :

: SS.

COUNTY OF MIDDLESEX :

Before me, a Notary Public for said County, personally appeared BERNHARD A. ZIEGNER, known to me to be the person who executed the foregoing affidavit and acknowledged it to be his act and deed.

Witness my hand and seal this 17th day of MAY, ~~2004~~<sub>70</sub> 2004

*Jane R. Dery*

My Commission Expires September 29, 2006



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**AFFIDAVIT OF PRIOR INVENTION UNDER 37 CFR 1.131**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, ROBERT J. SLETTEN, being duly sworn, depose and state:

1. I was an applicant of the above-identified patent application at the time of filing, and a co-inventor of the subject matter described and claimed therein.
2. On or about September 15, 1999, I (in concert with my co-inventor Robert J. Sletten) submitted a Preliminary Invention Disclosure ("PID") to my employer The Whitaker Corporation ("Whitaker") which described film-based microwave and millimeter wave circuits and sensors (See Exhibit A).
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Signed at 1011 Pawtucket Blvd., Lowell MA 01853, this 18th day of May, 2004.

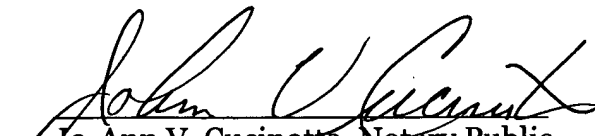
  
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ROBERT J. SLETTEN

STATE OF Massachusetts :  
: SS.  
COUNTY OF Middlesex :

Before me, a Notary Public for said County, personally appeared ROBERT J.SLETTEN, known to me to be the person who executed the foregoing affidavit and acknowledged it to be his act and deed.

Witness my hand and seal this 18 day of May, 2004.



  
Jo-Ann V. Cucinotta, Notary Public  
My commission expires: 9/3/2004